

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 JAMES THOMAS,

4 Plaintiff

Case No. 3:19-cv-00185-MMD-WGC

ORDER

5 v.

6 JAMES DZURENDA et al.,

7 Defendants
8

9 **I. DISCUSSION**

10 According to the Nevada Department of Corrections (“NDOC”) inmate database,
11 Plaintiff is no longer incarcerated. However, Plaintiff has not filed an updated address
12 with this Court. The Court notes that pursuant to Nevada Local Rule of Practice IA 3-1,
13 a “pro se party must immediately file with the court written notification of any change of
14 mailing address, email address, telephone number, or facsimile number. The notification
15 must include proof of service on each opposing party or the party’s attorney. Failure to
16 comply with this rule may result in the dismissal of the action, entry of default judgment,
17 or other sanctions as deemed appropriate by the court.” Nev. Loc. R. IA 3-1. This Court
18 grants Plaintiff thirty (30) days from the date of entry of this order to file his updated
19 address with this Court. If Plaintiff does not update the Court with his current address
20 within thirty (30) days from the date of entry of this order, the Court will dismiss this action
21 without prejudice.

22 Additionally, the Court denies the application to proceed *in forma pauperis* for
23 prisoners (ECF No. 1) as moot because Plaintiff is no longer incarcerated. The Court
24 now directs Plaintiff to file an application to proceed *in forma pauperis* by a non-prisoner
25 within thirty (30) days from the date of this order or pay the full filing fee of \$400.

26 **II. CONCLUSION**

27 For the foregoing reasons, IT IS ORDERED that Plaintiff will file his updated
28 address with the Court within **thirty (30) days** from the date of this order.

1 IT IS FURTHER ORDERED that Plaintiff's application to proceed *in forma pauperis*
2 for prisoners (ECF No. 1) is DENIED as moot.

3 IT IS FURTHER ORDERED that the Clerk of the Court WILL SEND Plaintiff the
4 approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the
5 document entitled information and instructions for filing an *in forma pauperis* application.

6 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
7 Plaintiff will either: (1) file a fully complete application to proceed *in forma pauperis* for
8 non-prisoners; or (2) pay the full filing fee of \$400.

9 IT IS FURTHER ORDERED that, if Plaintiff fails to timely comply with this order,
10 the Court will dismiss this case without prejudice.

11 DATED: January 8, 2020.

12 
13 UNITED STATES MAGISTRATE JUDGE